

**HB 236, Student Clubs Amendments  
R277-617, Authorization of Student Clubs and Organizations  
COMPARISON**

Issue	House Bill 236	Utah State Board of Education Rule R277-617	School Responsibilities
<b>Definitions</b>	<p><b><u>Club means:</u></b> Any student organization that meets during non-instructional time</p> <p><b><u>School clubs means:</u></b></p> <ol style="list-style-type: none"> <li>1) <b>Curricular:</b> Is school sponsored and may receive leadership, direction, and support from the school or school district beyond providing a meeting place during non-instructional time.</li> <li>2) <b>Non-Curricular:</b> Student-initiated group that may be authorized and allowed school building use during non-instructional time in secondary schools by a school and school governing board; meetings, ideas, and activities are not sponsored or endorsed by a school governing board, the school, or by school or school district employees; includes religious clubs.</li> </ol>	<p><b><u>Club means:</u></b> An organization for students that meets outside of regular classroom hours in a school.</p> <p><b><u>School Clubs Are Organized &amp; Directed by:</u></b></p> <ol style="list-style-type: none"> <li>1) <b>School Club:</b> School sponsors.</li> <li>2) <b>Supervised Club:</b> Students with permission of school authorities and under close supervision of a faculty supervisor.</li> <li>3) <b>Monitored Club:</b> Students with permission of school authorities with a faculty monitor assigned to the club to provide support as necessary that monitors activities to ensure compliance with applicable school policies; includes religious clubs.</li> <li>4) <b>Curriculum-Related Club:</b> The subject matter of the club is actually taught as a regular course; participation is required for a particular course OR academic credit is given for participation.</li> </ol>	<p>Change policies to reflect change in types of allowed clubs, including name changes (e.g. policies should now identify "clubs" as "curricular" or "non-curricular" rather than as "school clubs" or "nonschool clubs.").</p>
	<p><b><u>Bigotry:</u></b> Action or advocacy of imminent action involving: Harassment or denigration of a person/entity; any intent to cause a person not to freely enjoy or exercise any right secured by the constitution or laws of the US or UT, except that an evaluation or prohibition may not be made of the truth/falsity of any religious beliefs or expression of conscience unless the means of expression or conduct violates the standards of conduct outlined in §53A-13-101.3 or 20 USC §4071(f).</p>		

Issue	House Bill 236	Utah State Board of Education Rule R277-617	School Responsibilities
	<b><u>Conscience:</u></b> A standard based upon learned experiences, a personal philosophy or system of belief, religious teachings or doctrine, an absolute or external sense of right and wrong which is felt on an individual basis, a belief in an external absolute, or any combination of the foregoing.		
	<b><u>Elementary School Curricular Club:</u></b> A club that is organized and directed by school sponsors at the elementary school.		
	<b><u>Secondary School Curricular Club:</u></b> A club whose subject matter is taught or will soon be taught in a regular course, whose subject matter concerns the body of courses as a whole, in which participation results in academic credit.		
	<b><u>Encourage criminal or delinquent conduct:</u></b> Action or advocacy of imminent action that violates any law or administrative rule.		
	<b><u>Encourage criminal or delinquent conduct:</u></b> Does not include discussions concerning changing of laws or rules, or actions taken through lawfully established channels to effectuate such change.		
	<b><u>Non-Curricular Club:</u></b> A student-initiated group that may be authorized and allowed school building use during non-instructional time in secondary schools by a school and school governing board in accordance with the provisions of this part. Meetings, ideas, and activities are not sponsored or endorsed in any way by a school governing board, school, school district employees.		
	<b><u>Religious Club:</u></b> A non-curricular club designated as either being religiously based		

Issue	House Bill 236	Utah State Board of Education Rule R277-617	School Responsibilities
	or based on expression or conduct mandated by conscience.		
<b>Authorization by grade in school</b>	K-6: curricular clubs only. 7-12: curricular and non-curricular clubs.	K-6: School clubs only. Grades 7-9: School and supervised student clubs. Grades 10-12: School, supervised, and monitored clubs.	Review/revise local policies.
<b>Authorization</b>	<p><b><u>Faculty or students:</u></b></p> <ol style="list-style-type: none"> <li>1) Submit a written application to the school governing board. A school board considers applications on case-by case basis. Applications must contain: <ul style="list-style-type: none"> <li>• recommended club name;</li> <li>• statement of purpose, goals and activities;</li> <li>• statement of the clubs categorization from the list in the statute;</li> <li>• recommended meeting times, dates, and places;</li> <li>• a budget.</li> </ul> </li> </ol> <p><b><u>School or School Board:</u></b></p> <ol style="list-style-type: none"> <li>1) may exempt student body officers and UHSAA athletic teams from requirements;</li> <li>2) shall approve the name of the club;</li> <li>3) shall determine if the club is curricular or not;</li> <li>4) may return the application for amendment;</li> <li>5) may limit or deny authorization or school building use to: <ul style="list-style-type: none"> <li>• protect the physical, emotional, psychological, or moral well-being of students and faculty;</li> <li>• maintain order or discipline; protect the rights of parents;</li> <li>• maintain the boundaries of socially</li> </ul> </li> </ol>	<p><b><u>Staff or students:</u></b></p> <ol style="list-style-type: none"> <li>1) Shall prepare a club charter setting forth: <ul style="list-style-type: none"> <li>• the name and purposes of the club,</li> <li>• the types of activities in which club members may be engaged,</li> <li>• limitations on club activities such as prohibitions against: <ul style="list-style-type: none"> <li>- advocacy of imminent action which violates the law or rule,</li> <li>- advocacy or approval or sexual activity in violation of laws or regulations,</li> <li>- action or advocacy of imminent action involving harassment or denigration of any person,</li> <li>- action or advocacy of imminent action with the intent to cause a person to fear to freely exercise or enjoy a constitutional or legal right.</li> </ul> </li> </ul> </li> </ol> <p><b><u>School or School Board:</u></b></p> <ol style="list-style-type: none"> <li>1) may authorize clubs;</li> <li>2) shall adopt policies for clubs within the district;</li> <li>3) shall select and appoint club sponsors, supervisors, or monitors;</li> <li>4) shall not allow mental health therapy;</li> <li>5) may permit administrative review and approval of club application;</li> <li>6) may delegate to schools the authority to decide aspects of club management;</li> </ol>	<p>Consider preparing a model application form for clubs to use.</p> <p>Train principals on monitoring and appeals requirements.</p> <p>Review/revise local board policy to reflect new law (e.g. procedure to have applications submitted, review applications, explanation of any denials, selection of faculty sponsors for all clubs, etc.).</p>

Issue	House Bill 236	Utah State Board of Education Rule R277-617	School Responsibilities
	<p>appropriate behavior;</p> <ul style="list-style-type: none"> <li>• ensure compliance with all applicable laws, rules, regulations, and policies;</li> <li>• prevent clubs whose proposed charter indicate students or advisors would encourage delinquent or criminal conduct; promote bigotry; involve human sexuality; involve any effort to engage in or conduct mental health therapy, counseling, or psychological services.</li> </ul> <p>6) shall approve the faculty sponsor, supervisor, or monitor for each club;</p> <p>7) shall determine and assign building use for each club;</p> <p>8) shall NOT expend any public funds for non-curricular clubs;</p> <p>9) shall establish the non-instructional times when noncurricular clubs may meet;</p> <p>10) may establish the places and number of hours that non-curricular clubs may meet;</p> <p>11) shall determine what access noncurricular clubs shall be given to the school yearbook, public address system, newspaper, or bulletin boards.</p>	<p>7) may provide for approval of club names;</p> <p>8) may limit access to clubs;</p> <p>9) may adopt additional policies governing clubs;</p> <p>10) may not adopt policies prohibiting the formation of controversial clubs if activities and assurances are consistent with laws and rules;</p> <p>11) shall provide oversight of programs and activities to ensure compliance with approved club charters and laws and rules;</p> <p>12) may limit, or permit a secondary school to limit clubs to those which are curriculum-related clubs;</p> <p>13) may adopt policies governing clubs in accordance with the board's obligation to teach students the boundaries of socially appropriate behavior and to restrict activities which are harmful or contrary to the basic educational mission of the school.</p> <p>14) may adopt policies it finds necessary to</p> <ul style="list-style-type: none"> <li>• protect the rights of parents and students;</li> <li>• protect the well-being of students and faculty;</li> <li>• maintain order and discipline on school premises.</li> </ul> <p>15) may allow schools to designate the time and place that a club may meet and club access to the school newspaper, yearbook, public address system, or bulletin boards, provided all clubs of a given type are treated equally.</p>	
<b>Parental Consent Forms</b>	<p><b>Local School Boards Shall:</b></p> <p>1) require written parental or guardian</p>	<p><b>Local School Boards:</b></p> <p>1) MAY require parental consent forms,</p>	<p>Adopt and require parental consent form for all student clubs.</p>

Issue	House Bill 236	Utah State Board of Education Rule R277-617	School Responsibilities
	<p>consent for student participation in all clubs;</p> <p>2) the consent form shall include an activity disclosure statement containing all of the following:</p> <ul style="list-style-type: none"> <li>• specific name of the team, group, activity;</li> <li>• maximum number of students involved;</li> <li>• whether tryouts are used to select students;</li> <li>• if tryouts are required, date and time for tryouts;</li> <li>• beginning and ending dates of activity;</li> <li>• tentative schedule of activities with dates, times, places;</li> <li>• designation of any non-season activities;</li> <li>• status of activities (required, expected, suggested, optional);</li> <li>• dates, times, and places including personal costs, name of school employee who is responsible, and any additional information considered important.</li> </ul>	<p>provided forms are required of all student clubs of the same type.</p>	<p>State Board may create a model form.</p>
<b>Violations</b>	<p><b>School:</b></p> <p>1) shall investigate any report or allegation that a club is:</p> <ul style="list-style-type: none"> <li>• participating in activities beyond the scope of its purpose;</li> <li>• in violation of a provision of the clubs or any other law, rule, regulation, or policy.</li> </ul>		<p>Create/modify appeals process to include appeals from parents, guardians, anyone directly affected by administrative decisions.</p>
<b>Appeals</b>	<p><b>School:</b></p> <p>1) shall provide written explanations of factual and legal reasons for any denial, suspension, or termination of a club.</p> <p><b>School Board:</b></p>	<p><b>School Board:</b></p> <p>1) may permit administrative review and approval of club applications;</p> <p>2) shall provide for an appeal for a student directly affected by an</p>	

Issue	House Bill 236	Utah State Board of Education Rule R277-617	School Responsibilities
	1) shall designate a person to accept appeals from parents, students, or any person directly affected by a decision to deny, suspend or terminate a school club.	administrative decision.	